



2832  
JL

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner: L. D. Donovan

Art Unit: 2832

*In re:*

*Applicant:* BABICH

*Serial No.:* 10/500,409

*Filed:* 06/24/2004

***LETTER***

I hereby certify that this correspondence is  
being deposited with the United States  
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Alexandria, VA. 22313-1450

12/9/2004  
ILYA ZBOROVSKY

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia

Sir:

This communication is responsive to the Office Action of  
December 7, 2004.

The Examiner indicated that the present application contained two different inventions, namely a method of controlling magnetic flux and an electromagnetic drive, and required to elect a single invention for further prosecution.

With the present communication, applicant provisionally elects for further prosecution the invention drawn to a method of controlling magnetic flux, classified in class 361, subclass 139.

Claim 1-12 are readable on the elected invention, as respectfully requested to prosecute it further.

At the same time, the Examiner's election requirement is respectfully traversed. It is respectfully submitted that this application is a U.S. national phase application based on the earlier PCT application. Therefore, its prosecution has to follow PCT rules. As specified in PCT Rule 13, it is permitted to prosecute in a single application several inventions, such as for example a product and a method, if they have a common general inventive idea.

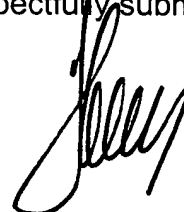
From consideration of the independent claims currently on file, it can be seen that the claims related to the method and the apparatus have a common inventive idea.

Therefore it is believed that all inventions disclosed in this application have to be retained in the application, and all claims related to these inventions have to be examined.

Consideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-243-3818).

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'J. Lee' or similar, written in a cursive style.

Ilya Zborovsky  
Agent for Applicant  
Reg. No. 28563